and to obtain preventive action against any female disease and against infections in general.

On May 25, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $50.

M. L. WILSON, *Acting Secretary of Agriculture.*

27357. Adulteration and misbranding of compressed brown mixture lozenges, Burrow's solution, ephedrine inhalant compound, and cod-liver oil. U. S. v. Purepac Corporation. Plea of guilty to certain counts. Plea of nolo contendere to remaining counts. Fine, $220. (F. & D. no. 38648. Sample nos. 39994–B, 53176–B, 53177–B, 53179–B, 55533–B.)

This case involved the following products: Compressed brown mixture lozenges that contained less ammonium chloride than declared on the label; Burrow's solution, a product recognized in the National Formulary as solution of aluminum acetate, which contained aluminum acetate in excess of the amount prescribed for said product in the formulary; ephedrine inhalant compound that contained less ephedrine alkaloid than declared on the label; cod-liver oil that was represented to be of pharmacopoeial standard but which contained less than 85 units of vitamin D per gram of cod-liver oil, the standard prescribed by the pharmacopoeia at the time of shipment.

On May 3, 1937, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Purepac Corporation, New York, N. Y., alleging shipment by said corporation in violation of the Food and Drugs Act on or about November 19, 1935, from the State of New York into the States of Maryland and Illinois of quantities of cod-liver oil that was adulterated and misbranded; and on or about February 20 and March 12, 1936, from the State of New York into the State of Florida of quantities of compressed brown mixture lozenges, Burrow's solution, and ephedrine inhalant compound that were adulterated and misbranded.

The articles were labeled in part: "Purepac Compressed Brown Mixture Lozenges without Opium * * * Brown Mixture, 75 minims and Ammonium Chloride, 3 grains [or "Burrows Solution * * *", "Ephedrine Inhalant Compound * * * Ephedrine Alk. 1% * * * contains Ephedrine Alk. 1%", or "Cod Liver Oil Vitamin Tested U. S. P. 10th Revision."] * * * Purepac Corp., New York, N. Y."

The compressed brown mixture lozenges were alleged to be adulterated in that they were sold under a professed standard and quality, namely, a profession that each of the lozenges contained 3 grains of ammonium chloride; whereas they contained less than 3 grains of ammonium chloride each, namely, not more than 0.9 grain thereof; and that their strength fell below the professed standard and quality under which they were sold. These lozenges were alleged to be misbranded in that the label affixed to the bottle bore the statements, "Brown Mixture Lozenges", "Brown Mixture", and "Ammonium Chloride, 3 grains"; that the aforesaid statements were false and misleading in that said article was not brown mixture; and in that the lozenges contained not more than 0.9 grain of ammonium chloride each.

Burrow's solution was alleged to be adulterated in that it was sold under the name "Burrows Solution"; that the name "Burrows Solution" had the same meaning as the name "Solution of Aluminum Acetate", a name recognized in the National Formulary; that the standard of strength, quality, and purity for solution of aluminum acetate as determined by the tests laid down in the aforesaid formulary official at the time of shipment of the article required that it be in an aqueous solution containing not more than 5.5 grams of aluminum acetate in each 100 cubic centimeters; that said Burrows Solution. or "Solution of Aluminum Acetate", contained more than 5.5 grams of aluminum acetate in each 100 cubic centimeters, namely, not less than 7 grams thereof.

The Burrow's solution was alleged to be misbranded in that there was affixed to the bottle a label which bore the statement "Burrows Solution"; that said name had the same meaning as the name, "Solution of Aluminum Acetate", a name recognized in the National Formulary; that the standard of strength, quality, and purity for solution of aluminum acetate, as determined by the test laid down in the aforesaid formulary official at the time of shipment of the article, required that it be an aqueous solution containing in each 100 cubic centimeters not more than 5.5 grams of aluminum acetate; whereas the article contained more than 5.5 grams of aluminum acetate in each 100 cubic centimeters, namely, not less than 7 grams thereof; that the above statement borne on the label was false and misleading.

The ephedrine inhalant compound was alleged to be adulterated in that it was sold under a professed standard and quality, namely, a profession that it was "Ephedrine Inhalant Compound, that Contains Ephedrine Alk. 1%", whereas it contained less than 1 percent of ephedrine alkaloid, namely, not more than 0.16 percent thereof; and that its strength fell below the professed standard and quality under which it was sold. It was alleged to be misbranded in that the carton and vial label bore the statements, "Ephedrine Inhalant Compound Contains Ephedrine Alk. 1%"; whereas it contained less than 1 percent of ephedrine alkaloid, namely, not more than 0.16 percent; and that therefore the statements aforesaid were false and misleading.

The cod-liver oil was alleged to be adulterated in that it was sold under the name "Cod Liver Oil", a name recognized in the United States Pharmacopoeia; that the standard of strength, quality, and purity for cod-liver oil as determined by the tests laid down in the pharmacopoeia at the time of the aforesaid shipment was 85 units of vitamin D per gram of cod-liver oil; and that the article contained less than 85 units of vitamin D per gram of cod-liver oil. It was alleged to be misbranded in that there was affixed to the bottle a label which bore the statement "Cod Liver Oil * * * U. S. P. 10th Revision"; that the standard of strength, quality, and purity for cod-liver oil official at the time of investigation of the article was that determined by the test laid down in a revision of the United States Pharmacopoeia, namely, Interim Revision Announcement No. 2, released January 1, 1935, and not the United States Pharmacopoeia tenth revision unrevised; that the article differed from the standard of strength, quality, and purity for cod-liver oil as determined by the tests laid down in the aforesaid revision of the pharmacopoeia; and that the aforesaid statement was false and misleading.

On May 28, 1937, a plea of guilty was entered on behalf of the defendant as to the counts relative to the compressed brown mixture lozenges, the Burrow's solution, and the ephedrine inhalant compound. On the same date a plea of nolo contendere was entered as to the remaining counts relative to the cod-liver oil. The court imposed a total fine of $220.

M. L. WILSON, *Acting Secretary of Agriculture.*

27358. Adulteration and misbranding of cod-liver oil. U. S. v. Sixteen 30-Gallon Drums of Cod-Liver Oil. Default decree of condemnation and destruction. (F. & D. no. 38909. Sample nos. 13042–C, 13043–C.)

This product was represented to conform to the standard laid down in the United States Pharmacopoeia, but fell below such standard and also below the standard declared on the label.

On January 7, 1937, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of sixteen 30-gallon drums of cod-liver oil at Trumansburg, N. Y., alleging that it had been shipped in interstate commerce between the dates of April 12 and August 7, 1935, by McKesson & Robbins, Inc., from Bridgeport, Conn., to Horseheads, N. Y., that it had been reshipped to Trumansburg, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Midnight Sun * * * Cod Liver Oil (Crude Medicinal) U. S. P."

It was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in the pharmacopoeia since samples were found to require more than 1 cubic centimeter of tenth-normal sodium hydroxide for the neutralization of 2 grams of the sample, to deposit stearin when immersed in a mixture of ice and distilled water for 5 hours, and to contain less than 85 U. S. P. units of vitamin D per gram; whereas the U. S. P. X. Interim Revision Announcement No. 2 requires that cod-liver oil shall not require more than 1 cubic centimeter of tenth-normal sodium hydroxide for the neutralization of a 2-gram sample; that it shall not deposit stearin when immersed in a mixture of ice and distilled water for 5 hours and shall not contain less than 85 U. S. P. units of vitamin D per gram. The article was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Each (Gram) Contains U. S. P. X. 1934 Revised * * * (95) Vit. D. Units."

The article was alleged to be misbranded in that the statements appearing on the package or label, "Superfine Poultry Cod Liver Oil * * * U. S. P. * * * Each (Gram) Contains U. S. P. X. 1934, Revised * * * (95)